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C O N F I D E N T I A L SECTION 01 OF 04 KUALA LUMPUR 001647

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DEPARTMENT FOR EAP/MTS AND DS/IP/TA

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TAGS: [PGOV](#) [PHUM](#) [ASEC](#) [KDEM](#) [MY](#)

SUBJECT: POLICE BREAK UP ETHNIC INDIAN PROTEST IN KUALA LUMPUR

REF: A. KUALA LUMPUR 1646 - ARRESTS AHEAD OF RALLY

[1](#)B. KUALA LUMPUR 1624 - CHALLENGES TO THE STATUS QUO

[1](#)C. KUALA LUMPUR 1613 - BERSIH RALLY DRAWS TENS OF THOUSANDS

[1](#)D. KUALA LUMPUR 1458 - LAWYERS MARCH IN PUTRAJAYA

Classified By: Political Section Chief Mark D. Clark
for reasons 1.4 (b and d).

Summary

[1](#)1. (C) Thousands of ethnic Indian Malaysians took to the streets of Kuala Lumpur in protest on November 25, the second major anti-government demonstration in two weeks. Despite police warnings, early arrests (ref A) and heavy police presence on the streets of Kuala Lumpur, approximately 20,000 ethnic Indians joined the protest organized by the Hindu Rights Action Force (HINDRAF) to highlight the marginalization of the Indian minority. Police reaction was swift and forceful as riot police fired water cannons and tear gas continuously over a period of hours to break up the gathering demonstrators in Kuala Lumpur's central diplomatic and upscale shopping district. After six hours of stand-off, police negotiated with protest leaders and the crowds dispersed. Prime Minister Abdullah and other senior officials criticized the demonstrators for abusing their freedoms, violating the police ban, and inciting racial tension, while the government-dominated press attributed Sunday's violence to the protestors. On November 26, a court threw out sedition charges against HINDRAF leaders. The November 25 protest represented Malaysia's largest race-based demonstration in a generation, drawing on ethnic Indian dissatisfaction over poverty, destruction of Hindu temples, and the performance of the dominant Indian party in the ruling government coalition. Malaysian authorities clearly decided they would prevent another anti-government demonstration in Kuala Lumpur on November 25, but they did so at the cost of damaging Malaysia's image as a multi-racial democracy. By itself, the GOM's forceful response on November 25 likely will not deter more public protest actions by government opponents. End Summary.

Police Ban Protest by Ethnic Indians

[1](#)2. (C) Malaysia's Hindu Rights Action Force (HINDRAF), a coalition of activist Indian rights NGOs, planned the November 25 rally under the pretext of handing over a petition to the British High Commission related to a class action suit against the British government for bringing Indians as indentured laborers during Malaysia's colonial period. Privately, HINDRAF officials admitted the class

action suit was a means to raise awareness of basic domestic issues affecting Malaysia's ethnic Indian minority. HINDRAF has gained favor in the Indian community by championing issues of religious equality, vernacular (Tamil) education, affirmative action for poor Indians and the protection of Hindu shrines and temples. Sunday's rally of ethnic Indians was intended to focus on these issues. Clearly aware of the anti-government nature of HINDRAF's intended protest, police denied the permit application for the demonstration and obtained restraining orders against HINDRAF organizers to prevent them from participating in the planned rally. Despite the official ban on the demonstration, some 20,000 Indians from around Malaysia converged on Kuala Lumpur to support Indian rights in Malaysia.

Police action begins at Batu Caves

13. (C) Police actions against protesters began in the early morning hours of November 25 when police confronted ethnic Indian Malaysians who had gathered at the Batu Caves Hindu temple on the outskirts of Kuala Lumpur. At around 4 AM, riot police surrounded a crowd of around 700 people and herded them into the temple grounds where hundreds of others had camped out for the night. Activists reported to police that the police then locked the gates of the temple grounds, trapping nearly 2,000 protesters inside. Photographs on local blogs seem to verify these reports. Those trapped inside the compound later broke down the gate in an effort to leave the temple grounds and a confrontation with police began. Police then fired water cannons at demonstrators, many of whom were wearing placards with a picture of Mahatma Gandhi around their necks calling for a peaceful assembly. Riot police also fired volleys of tear gas canisters from riot police were fired into the temple grounds, driving the

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protesters back inside and away from the street. Eventually over 100 people were arrested at Batu Caves and hundreds of others were detained on the temple grounds until the demonstration in Kuala Lumpur had ended later in the day.

Police launch tear gas at seated protesters

14. (C) With most roads into town blocked by police, Indian Malaysians began converging on Kuala Lumpur by foot, some walking four or five kilometers to reach the rallying points near the Petronas Towers and near the British High Commission. Using water cannons, riot police dispersed the first crowds forming near the British High Commission and Petronas Towers in the predawn hours. Eventually, some 1,000 demonstrators stopped and sat down in the middle of the street in front of police lines roughly 500 meters from the British High Commission and 300 meters north of the US Embassy. At around 7:20 AM, police warned the group to leave the street and disperse. Then at around 7:40 AM, police sprayed chemical-laced water and fired tear gas at the protesters, many of whom were still seated in front of the police line.

Protesters reassemble at KLCC

15. (C) Many protesters fell back and began a secondary assembly near the south side of the Petronas Towers (KLCC) about 1.5 km away. By 8:00 AM some 15,000 people had assembled peacefully outside of KLCC when another riot squad warned the group to disperse. Police then turned water cannons against this crowd and fired dozens of tear gas canisters. The police continued to use water cannons and tear gas on Indian crowds over the next few hours.

Police tactics produce defiance

¶6. (C) As the morning wore on and police continued firing tear gas and spraying the crowd, ethnic Indian demonstrators became more defiant, often grabbing the hot tear gas canisters and hurling them back towards the riot police. Some young men also hurled stones. Protesters began vocally defying the police with chants of "We want justice, we want justice." Protesters often sat down in the road and took the full force of the water cannons' attacks until clouds of tear gas would eventually force a retreat a hundred meters further down the road. Several demonstrators were arrested as they refused to withdraw from the "front lines" of the demonstration, and there are reports of a handful of police officers and demonstrators being injured in the scuffles that preceded the arrests. There were no reports of serious injuries or deaths resulting from the demonstration or police actions. (Note: We recognize that Malaysian police were following a predetermined engagement policy aimed at preventing the demonstration and rapidly dispersing the growing crowds. RSO points out that police actions were relatively orderly and displayed discipline by the rank and file, as well as strategic planning by senior police to contain the protestors. End Note.)

Police agree to stop attacks and crowds disperse

¶7. (C) The police continued to direct most of their action against the largest crowd of protestors, numbering some 6,000, gathered near KLCC until approximately 12:30 pm. At that time, police officers addressed members of the crowd and leaders from the NGO HINDRAF, agreeing to halt the water cannon and tear gas if the crowds would disperse. HINDRAF leaders sought the opportunity to present their petition to the British High Commission, but police would not allow it. Eventually, HINDRAF leaders asked the crowds to disperse, and by 1:30 PM the demonstrators left the area and police reopened the streets for vehicular traffic.

British diplomats prepared to receive petition

¶8. (C) The British High Commission told us that their deputy high commissioner and two other officers stood by at their mission on Sunday to receive HINDRAF's petition if they were allowed to approach the compound. Out of safety concerns non-essential personnel were evacuated from the compound, which includes residential apartments for diplomatic staff. Police kept protestors at least 200 meters from the high commission and did not allow presentation of the petition.

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Malaysian politicians respond

¶9. (U) Prime Minister Abdullah Badawi addressed the media from Kampala, Uganda, where he was attending the Commonwealth Heads of Government Meeting and explained that "the situation could have turned violent" if the police did not take the necessary steps to break up the demonstrators. "Don't abuse the freedom that has been given you," Abdullah said. "If you want to submit a memorandum there are other ways of doing it." Deputy Prime Minister Najib Abdul Razak said he was saddened that demonstration went forward. "They continue to defy the police and court order and some of them acted aggressively during the rally. This is something that cannot be accepted by the Government and the majority of the people," Najib said. "We tried to stop them because we know that these rallies could be easily exploited by irresponsible parties into a racial issue." President of the Malaysian Indian Congress (MIC) and senior cabinet member Samy Vellu had earlier urged Indians not to participate in the rally. Samy explained that as a member of the ruling coalition MIC does not support street demonstrations. "We have been working within the system to resolve the problems faced by the Indian community," he said. Samy blamed the opposition

for the demonstration and concluded, "It is a ploy to smear the name of the government, especially in the eyes of the world."

¶10. (SBU) Opposition leaders took a much more conciliatory approach and supported the ethnic Indians' right to assemble even though many rejected the cause itself. Former Deputy Prime Minister and opposition leader Anwar Ibrahim who took part in the Bersih demonstration on November 10, criticized the police reaction: "That is a peaceful gathering and they just want to claim their rights," Anwar said. One Indian supreme council member of Anwar's People's Justice Party (PKR), Gobalakrishnan, was arrested following the demonstration and remanded for three days. (Note: Gobalakrishnan recently completed an International Visitor Program. End Note.) Democratic Action Party's Lim Kit Siang, the opposition leader in Parliament, opined: "The excessive use of police force with the firing of tear gas and water cannons against the HINDRAF gathering in Kuala Lumpur is the most high-handed, ham-fisted, undemocratic and a grave disservice not only to the Malaysian Indian community but to Malaysia's international reputation in wanting to be a first-world developed nation." Only one ethnic Indian Member of Parliament was present at the rally, opposition parliamentarian M. Kulasegaran.

Media Reaction

¶11. (C) International media seized the story of the HINDRAF demonstration and various reports ran on domestic satellite service on CNN, BBC and Al Jazeera. Unlike their reporting of the Bersih rally (ref B) and the Bar Council march (ref C), government-dominated local print media carried the HINDRAF rally on the front page of every major daily with themes of "Defiance". Although the dailies acknowledged "thousands" were on the streets and mentioned ethnic Indian grievances, they all carried stories blaming the protesters for the violence with such titles as "Cops forced to use tear gas, water cannons", or stories denying that water cannons and tear gas were fired into the Hindu temple at Batu Caves.

Court throws out sedition charges

¶12. (SBU) On November 26, the Klang Sessions Court threw out all sedition charges previously filed against HINDRAF leaders on November 23 (ref A) and all HINDRAF leaders have been released from custody. Although the judge ruled the Government may re-file if it can present sufficient evidence to sustain its charges, the judge remained unconvinced. PKR's Anwar Ibrahim and DAP's Secretary General Lim Guan Eng were among the political leaders present in the court room, while DAP attorney and member of parliament M. Kulasegaran reportedly assisted in the defense. Malaysiakini reported that some 4,000 supporters had gathered outside the courthouse and that FRU riot police were also present, but there were no incidents.

Comment

¶13. (C) The November 25 protest represented Malaysia's

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largest race-based demonstration in a generation. HINDRAF, the most vocal NGO advocate for the Indian community, is not a mass membership organization, and thus could not organize such a large turnout from within its own ranks. Instead, the November 25 protest drew upon ethnic Indians' dissatisfaction over their perceived marginalization within Malaysia, including endemic poverty, the destruction of unregistered Hindu shrines and temples, and dwindling resources for Tamil schools and community projects. This dissatisfaction extends to the dominant Indian party, the Malaysian Indian Congress (MIC), which many view as not delivering enough for the

Indian community within the ruling National Front coalition. Current Public Works Minister Samy Velu has led MIC for 28 years, which critics contend has led to MIC's ossification. Opposition parties want to capitalize on such dissatisfaction, although Indians represent only seven percent of the population and could further reduce their relevancy by splitting their votes among a number of parties.

¶14. (C) Having failed to stop the large November 10 opposition protest on electoral reform despite personal warnings from Prime Minister Abdullah and the national police chief, Malaysian authorities clearly decided they would prevent another anti-government demonstration in Kuala Lumpur on November 25. Police acted forcefully to carry out this political decision, resulting in a half-day running confrontation with protestors in Kuala Lumpur's central diplomatic and shopping district that further damaged Malaysia's image as a multi-racial democracy, as the international media broadcast extensive footage of water cannons and tear gas volleys fired against the Indian crowds. By itself, the GOM's forceful response on November 25 likely will not deter more public protest actions by government opponents. The Malay-led government will need to reassess its strategy of denying public rallies or consider even stronger measures to shut down opponents in this pre-election period.
KEITH